

**PLANNING BOARD
RESOLUTION No. 2013-63**

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD GRANTING A CONDITIONAL USE APPROVAL FOR A COMMUNITY OUTREACH AND COUNSELING CENTER LOCATED AT 1102 TRUMAN AVENUE (RE# 00033290-000100, AK# 9032222) IN THE HISTORIC NEIGHBORHOOD (HNC-1) ZONING DISTRICT, PURSUANT TO SECTION 122-808 (2) OF THE CODE OF ORDINANCES, KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

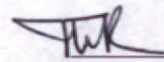

WHEREAS, the subject property is located in the Historic Neighborhood Commercial (HNC-1) zoning district; and

WHEREAS, per Section 122-808 (2), the applicant filed a conditional use application for a community outreach and counseling center located at 1102 Truman Avenue; and

WHEREAS, Section 122-62 outlines the criteria for reviewing a conditional use application by the Planning Board; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on November 21, 2013; and

WHEREAS, the Planning Board found that the proposed use complies with the criteria in Section 122-62 and 122-63; and

 Vice Chairman
 Planning Director

WHEREAS, the approval of the conditional use application will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as fully set forth herein.

Section 2. That a conditional use request, under the Code of Ordinances of the City of Key West, Florida, per Section 122-808 is hereby approved as follows: allowing a community outreach and counseling center at 1102 Truman Avenue (RE# 00033290-000100, AK#9032222), Key West, Florida, as shown in the attached survey and interior diagram received August 6, 2013 with the following conditions:

1. There shall be no overnight accommodations.
2. The bathroom shall be ADA compliant.

Section 3. Full, complete, and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in their entirety within 12 months after the date hereof.

Section 4. This conditional use approval does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of the applicant's assertion of legal authority respecting the property.

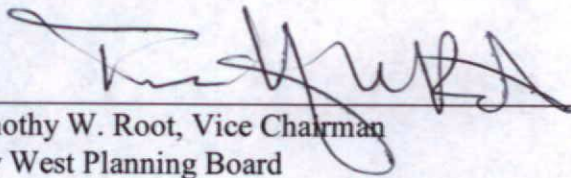
Section 5. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Section 6. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DEO can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Read and passed on first reading at a duly noticed public hearing held this 21st day of November, 2013.

Authenticated by the Vice Chairman of the Planning Board and the Planning Director.

 Vice Chairman
 Planning Director

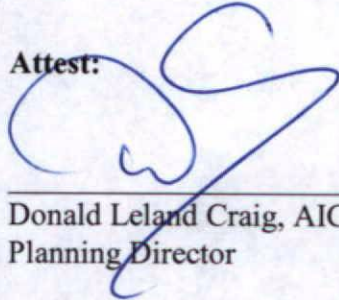


Timothy W. Root, Vice Chairman
Key West Planning Board

12/5/13

Date

Attest:

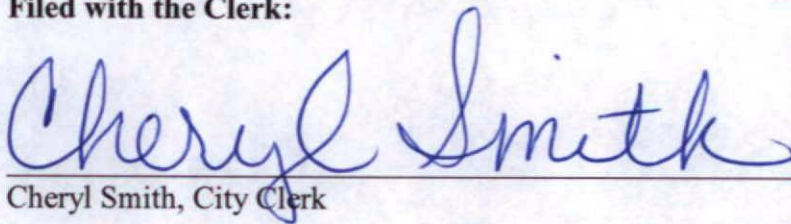


Donald Leland Craig, AICP
Planning Director

12/4/13

Date

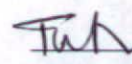

Filed with the Clerk:

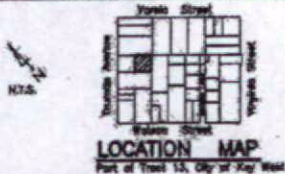


Cheryl Smith, City Clerk

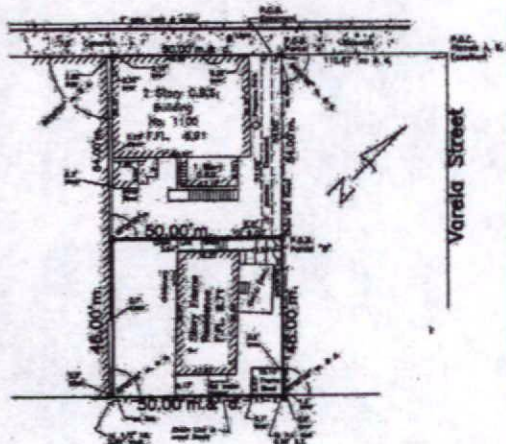
12-5-13

Date

 Vice Chairman
 Planning Director



Truman Avenue (Division St.) (50' R/W)



LEGAL DESCRIPTION, Parcel 'V':

Portion of land located on the Island of Key West, Monroe County, Florida, and known as Parcel 'V', as shown on the map of the City of Key West, dated February 1929, as part of Tract 13, and being more particularly described as follows: Commence at the intersection of the Southeastern Right-of-Way Line of Truman Avenue and the Southeastern Right-of-Way Line of Vorela Street; thence in a Southeastern direction along the said Southeastern Right-of-Way Line of Truman Avenue for 110.87 feet; thence in a Southeastern direction and along the said Southeastern Right-of-Way Line of Truman Avenue for 54.00 feet to the Point of Beginning; thence continue in a Southeastern direction for 48.00 feet; thence at a right angle and in a Southeastern direction for 50.00 feet; thence at a right angle and in a Northwesterly direction for 46.00 feet; thence at a right angle and in a Northwesterly direction for 50.00 feet to the Point of Beginning. Containing 2300.00 Square Feet.

LEGAL DESCRIPTION, Access Easement:

Portion of land located on the Island of Key West, Monroe County, Florida, and known as Parcel 'V', as shown on the map of the City of Key West, dated February 1929, as part of Tract 13, and being more particularly described as follows: Commence at the intersection of the Southeastern Right-of-Way Line of Truman Avenue and the Southeastern Right-of-Way Line of Vorela Street; thence in a Southeastern direction along the said Southeastern Right-of-Way Line of Truman Avenue for 113.87 feet to the Point of Beginning; thence continue in a Southeastern direction along the said Southeastern Right-of-Way Line of Truman Avenue for 54.00 feet; thence at a right angle and in a Southeastern direction for 50.00 feet; thence at a right angle and in a Northwesterly direction for 46.00 feet; thence at a right angle and in a Northwesterly direction for 50.00 feet to the Point of Beginning. Containing 1800.00 Square Feet.

SURVEYOR'S NOTES:

Survey done based on assumed meridian.
Reference bearing: R/W Truman Avenue.
J.S. denotes existing elevation.
Elevations based on A.D.M.D. 1929 Datum.
Survey Mark No. 1000. Elevation 14.324.
Abbreviations:
R/W = Right-of-Way
M. = Found
F.W. = F.W. Wall
A/C = Air Conditioner
M. = Meter
B. = Bulb
N.T.S. = Not to Scale
C. = Contour
Dev. = Deviation
B.M. = Bench Mark
W. = Wall
S/L = Sewer Line
U/S = Underground
P.O.C. = Point of Commencement
P.O.B. = Point of Beginning
Terra = Terrace
L.P. = Low Place
F.L. = Finish Floor/Decking
C.B.S. = Concrete Block Slab
S.F. = Covered
Field Work performed on: 2/28/02

CERTIFICATION:

I, FREDERICK H. NILDEBRANDT, do hereby certify that the attached BOUNDARY SURVEY is true and correct to the best of my knowledge and belief; that I am duly licensed and qualified to perform such surveys; and that I am not a party to any fraud or other unlawful act in connection with this survey.

FREDERICK H. NILDEBRANDT
Professional Land Surveyor & Mapper No. 2749
Professional Engineer No. 94810
State of Florida

NOT VALID UNLESS ENCLOSED WITH NEEDED SEAL & SIGNATURE

Simon B. Volzgen 100 Truman Avenue, West, Key West, Florida 33540			
BOUNDARY SURVEY		22-124	
Scale: 1"=40'	Map No. 100-10	Field Notes No. 100-10	Map No. 100-10
Date: 5/12/02	Field Date: 5/12/02	Field Date: 5/12/02	Field Date: 5/12/02
BORDER, ADJACENT, ADJACENT			

FREDERICK H. NILDEBRANDT
BORDER PLANNER BINDER

2100 N. Highway 90W
Suite 201
Key West, FL 33509
(305) 291-1111
Fax: (305) 291-1111

TWK
DC
129B

